

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION

ANNIE C. HOLMES, )  
vs. Plaintiff, ) CIVIL ACTION NO. 03-0615-P-B  
JO ANNE B. BARNHART, Commissioner )  
of Social Security, )  
Defendant. )

ORDER ADOPTING THE REPORT AND  
RECOMMENDATION OF THE MAGISTRATE JUDGE

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections raised, the Report and Recommendation of the Magistrate Judge made pursuant to 28 U.S.C. § 636(b)(1)(B) and dated November 17, 2005 (doc.24), is hereby ADOPTED as the opinion of this court.

Accordingly, it is ORDERED that plaintiff's Application For Attorney's Fees Under the Equal Access to Justice Act, 28 U.S.C. § 2412 (doc.21), be and is hereby GRANTED, and that plaintiff's counsel, Byron A. Lassiter, be awarded attorney's fee, in the amount of \$2,237.50 (17.9 hours x \$125.00 per hour = \$2,237.50).

DONE the 15<sup>th</sup> day of December, 2005.

S/Virgil Pittman  
SENIOR UNITED STATES DISTRICT JUDGE